

1
2 **State Of Washington**
3 **GROWTH MANAGEMENT HEARINGS BOARD**
4 **FOR EASTERN WASHINGTON**

5 1000 FRIENDS OF WASHINGTON and
6 GLENROSE COMMUNITY ASSN.,

7 Petitioners,

8 v.

9 SPOKANE COUNTY,

10 Respondent,

11 TRICKLE CREEK, L.L.C.

12 Intervenor.

Case No.: 03-1-0004

ORDER ON COMPLIANCE AFTER
REMAND

13 * * * * *

14
15 **I. PROCEDURAL HISTORY**

16 On May 21, 2003, 1000 Friends of Washington, by and through its attorney John
17 Zilavy, filed a Petition for Review. Glenrose Community Association, by and through its
18 attorney John Zilavy, was permitted to join as a Petitioner by Amended Petition filed on
19 June 24, 2003.

20 Spokane County, the Respondent, was represented by Deputy Prosecuting
21 Attorney Martin Rollins. Trickle Creek, L.L.C., by and through its attorney, Margaret
22 Arpin, was permitted to intervene pursuant to its Motion to Intervene filed June 30,
23 2003.

24 On June 18, 2003, the Board issued an Order on Stipulation for Continuance and
Stay based on a request by the parties for a 60-day extension to explore settlement.

1 On August 6, 2003, the Board held the Prehearing conference. Present were
2 Judy Wall, Presiding Officer, and Board Members D.E. "Skip" Chilberg and Dennis
3 Dellwo. Present for Petitioner was John Zilavy. Present for Respondent Spokane
County was Martin Rollins. Present for Intervenor was Margaret Arpin.

4 The Board issued Orders on Stipulation for Continuance and Stay October 31,
5 2003, January 23, 2004, and March 17, 2004, for a total of 135-days extension.

6 On April 26, 2004, the Board held the Hearing on the Merits. Presiding Officer,
Judy Wall, and Board Members D.E. "Skip" Chilberg and Dennis Dellwo were present.
7 The parties were represented by counsel, John Zilavy for both Petitioners, Martin Rollins
8 for Respondent Spokane County and Margaret Arpin for Intervenor Trickle Creek L.L.C.

9 On May 25, 2004, the Board issued a Final Decision and Order, finding
10 Respondent Spokane County in compliance with the Growth Management Act (GMA),
Chapter 36.70A RCW, on all items under appeal except one, wherein Spokane County
11 included Remand Map Item Number 3 (Rowan and Canal parcel consisting of 24.32
12 acres) within the LAMIRD (Limited Development Area: Commercial/Industrial).

13 On June 22, 2004, the Spokane County Board of County Commissioners signed
County Resolution Number 4-0534, placing the aforementioned map item back in a
14 Rural-5 category, as originally recommended by the Spokane County Planning
15 Commission.

16 The parties have stipulated to the following:

17 **II. ORDER**

- 18 1. The Board of County Commissioners' designation of Remand Map
Item Number 3 (Rowan and Canal parcel consisting of 24.32 acres)
19 as a Rural-5 constitutes appropriate legislative action that brings
Spokane County into compliance with the GMA.
- 20 2. Spokane County is therefore in compliance with the Growth
21 Management Act, Chapter 36.70A. RCW with respect to all issues
raised in this case.

22 **Pursuant to RCW 36.70A.300(5), this is a Final Order for purposes of**
23 **appeal. Pursuant to WAC 242-02-832, a motion for reconsideration may be**
24 **filed within ten days of service of this Final Decision and Order.**

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24

Judy Wall, Board Member

Dennis Dellwo, Board Member